

JUSTIN X. WANG (CSB #166183)  
**BAUGHMAN & WANG**  
 111 Pine Street, Suite 1350  
 San Francisco, California 94111  
 Telephone: (415) 576-9923  
 Facsimile: (415) 576-9929

**E-filing**

Attorney for Plaintiff  
 Yingchun SUN

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

Yingchun SUN

**CV 08 1257 SI**

Case No.:

Plaintiff

**COMPLAINT FOR WRIT IN THE  
 NATURE OF MANDAMUS**

vs.

MICHAEL CHERTOFF, Secretary of the  
 Department of Homeland Security

Defendant.

"Immigration Case"

Plaintiff Yingchun SUN, by and through her undersigned attorney, sues Defendant and states as follows:

1. This action is brought against the Defendant to compel action on the Application to Adjust to Permanent Resident Status, or Form I-485, by Plaintiff Yingchun SUN, based on her asylee status, and on the Refugee Asylee Relative Petition, or Form I-730, both properly filed by the Plaintiff. The I-485 application and the I-730 petition remain within the jurisdiction of the Defendant, who has improperly withheld action on said applications to Plaintiff's detriments.

**PARTIES**

2. Plaintiff Yingchun SUN is a native and citizen of the People's Republic of China. Her Form I-485, Application to Register Permanent Resident or Adjust Status, was received by the U.S.C.I.S. on October 14, 2005 (**Exhibit 1: I-485 Receipt Notice and Transfer Notice**). Plaintiff's Refugee Asylee Relative Petition, or Form I-730, on behalf of her husband Jingsheng HU was received by the U.S.C.I.S. on August 30, 2006 (**Exhibit 2: I-730 Receipt Notice**).

3. Defendant Michael Chertoff is the Secretary of the Department of Homeland Security (DHS), and this action is brought against him in his official capacity. He is generally charged

1 with enforcement of the Immigration and Nationality Act, and is further authorized to delegate  
2 such powers and authority to subordinate employees of the DHS 8 U.S.C. 1103(a); 8 C.F.R. 2.1.

### 3 JURISDICTION

4 4. Jurisdiction in this case is proper under 28 USC §§1331 and 1361, 5 USC §701 *et seq.*,  
5 and 28 USC §2201 *et seq.* Relief is requested pursuant to said statutes.

### 6 VENUE

7 5. Venue is proper in this court, pursuant to 28 USC §1391(e), in that this is an action  
8 against officers and agencies of the United States in their official capacities, brought in the  
9 District where either the Plaintiff resides if no real property is involved in the action or most  
10 action/inaction has occurred.

### 11 EXHAUSTION OF REMEDIES

12 6. Plaintiff has exhausted her administrative remedies.

### 13 CAUSE OF ACTION

14 7. Plaintiff Yingchun SUN is a native and citizen of the People's Republic of China. Her  
15 Form I-485, Application to Register Permanent Resident or Adjust Status, was received by the  
16 U.S.C.I.S. on October 14, 2005 (**Exhibit 1: I-485 Receipt Notice and Transfer Notice**).  
17 Plaintiff's Refugee Asylee Relative Petition, or Form I-730, on behalf of her husband Jingsheng HU  
18 was received by the U.S.C.I.S. on August 30, 2006 (**Exhibit 2: I-730 Receipt Notice**). At the  
19 time of initial filing, Plaintiff's husband Jingsheng HU was outside of the United States. After  
20 Jingsheng HU came to the United States on January 6, 2007, Plaintiff filed another I-730, on  
21 March 8, 2007 (**Exhibit 3: Copy of attorney's letter, Form G-28, Form I-730, mailing label,**  
22 **track & confirmation**). The U.S.C.I.S. did not issue a Receipt Notice for the second filing.

23 8. Plaintiff Yingchun SUN's I-485 and I-730 have now remained pending for more than 29  
24 months and 18 months, respectively, since the date of the filing. According to the Service Center  
25 processing dates, the USCIS NSC is currently processing asylum-based I-485 filed on October 1,  
26 2006 and I-730 petitions filed on October 2, 2006 (**Exhibit 4: Copy of NSC Processing Dates**  
27 **Posted on February 15, 2008**).

28 9. Defendant's refusal to act in this case is, as a matter of law, arbitrary and not in accordance

1 with the law. Defendant has unreasonably delayed in and have refused to adjudicate Plaintiff's I-  
 2 485 for more than 29 months and Plaintiff's I-730 for 18 months from the date of their filing,  
 3 thereby depriving her of the right to a decision on the applications and the peace of mind to which  
 4 Plaintiff is entitled.

5 10. Plaintiff has been damaged by the failure of Defendant to act in accord with his duties  
 6 under the law.

7 (a) Plaintiff Yingchun SUN has been damaged by simply being deprived of the  
 8 adjudication of her I-485 for more than 29 months and of her I-730 for 18 months.  
 9 Plaintiff has also been unable to plan any foreign travel or pursue a future course of  
 10 action in the United States due to the pendency of her I-485 and her I-730.

11 12. The Defendant, in violation of the Administrative Procedures Act and Mandamus Act, 5  
 12 USC §701 *et seq.*, is unlawfully withholding or unreasonably delaying action on the adjudication  
 13 of Plaintiff's I-485 and I-730 and has failed to carry out the adjudicative functions delegated to  
 14 him by law with regard to Plaintiff's case.

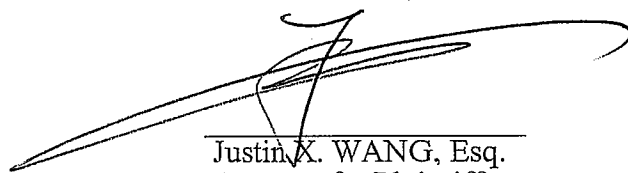
#### 15 PRAYER

16 13. WHEREFORE, in view of the arguments and authority noted herein, Plaintiff  
 17 respectfully prays that the Defendant be cited to appear herein and that, upon due consideration,  
 18 the Court enter an order:

- 19 (a) requiring the defendant to complete the processing of the I-485 and I-730  
 20 expeditiously without further delay or in accordance with the Court ruling;  
 21 (b) and awarding Plaintiff reasonable attorney's fees under the Equal Access to Justice  
 22 Act; and  
 23 (c) granting such other relief at law and in equity as justice may require.

24 Dated: February 29, 2008

Respectfully submitted,

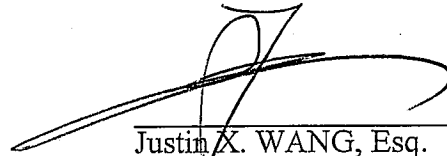
26   
 27 Justin X. WANG, Esq.  
 28 Attorney for Plaintiff

**CERTIFICATION OF INTERESTED ENTITIES OR PERSON**

Pursuant to Civil L.R. 3-16, the undersigned certifies that as of this date, other than the named parties, there is no such interest to report.

Dated: February 29, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin X. Wang", is written over a horizontal line.

Justin X. WANG, Esq.  
Attorney for Plaintiff

LIST OF ATTACHMENTS

<i>Exhibit</i>	<i>Description</i>
1	I-485 Receipt Notice and Transfer Notice
2	I-730 Receipt Notice
3	Copy of attorney's letter, Form G-28, Form I-730, mailing label, track & confirmation
4	USCIS Nebraska Service Center Processing Dates

Ex 1

# THE UNITED STATES OF AMERICA

RECEIPT NUMBER SRC-06-010-51901		CASE TYPE I-485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIVED DATE October 11, 2005	PRIORITY DATE	APPLICANT: A96 494 567 SUN, YINGCHUN	
NOTICE DATE October 14, 2005	PAGE 1 of 1		
YINGCHUN SUN 130 BLOSSOM CIR SAN MATEO CA 94403		Notice Type: Receipt Notice  Amount received: \$ 385.00  Section: Asylee adjustment	
<p><b>Receipt notice</b> - If any of the above information is incorrect, call customer service immediately.</p> <p><b>Processing time</b> - Processing times vary by kind of case.</p> <ul style="list-style-type: none"> <li>- You can check our current processing time for this kind of case on our website at <a href="http://uscis.gov">uscis.gov</a>.</li> <li>- On our website you can also sign up to get free e-mail notices as we complete key processing steps on this case.</li> <li>- Most of the time your case is pending the processing steps will not change because we will be working on others filed earlier.</li> <li>- We will notify you by mail when we make a decision on this case, or if we need something from you.</li> <li>- If you move while this case is pending, call customer service when you move.</li> <li>- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.</li> </ul> <p>If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.</p> <p><b>Notice to all customers with a pending I-130 petition</b> - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to <a href="http://www.state.gov/travel">www.state.gov/travel</a> &lt;<a href="http://www.state.gov/travel">http://www.state.gov/travel</a>&gt; to determine current visa availability dates. For more information, please visit our website at <a href="http://www.uscis.gov">www.uscis.gov</a> or contact us at 1-800-375-5283.</p> <p><b>If this receipt is for an I-90, I-485, or I-698 application</b></p> <p><b>Biometrics</b> - (fingerprint, photo, signature)</p> <p>The next step is to have your biometrics taken at a USCIS Application Support Center (ASC).</p> <p>Call customer service at 1-800-375-5283 to schedule your appointment. For hearing impaired, TDD assistance call 1-800-767-1833. It is important that you schedule your appointment. We cannot complete certain steps in processing until you appear for this appointment.</p> <p><b>What to bring to your appointment</b> - You must bring this letter and a photo identification to your appointment. Acceptable kinds of photo identification are:</p> <ul style="list-style-type: none"> <li>A passport or national photo identification issued by your country.</li> <li>A driver's license.</li> <li>A military photo identification, or</li> <li>A state-issued photo identification card.</li> </ul> <p>Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.</p>			

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
TEXAS SERVICE CENTER  
P O BOX 851488 - DEPT A  
MESQUITE TX 75185-1488  
Customer Service Telephone: (800) 375-5283





# UNITED STATES OF AMERICA

RECEIPT NUMBER SRC-06-010-51901		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS	
RECEIPT DATE October 14, 2005	PRIORITY DATE	APPLICANT A096 494 567 SUN YINGCHUN	
NOTICE DATE October 19, 2006	PAGE 1 OF 1		
YINGCHUN SUN 120 BLOSSOM CIR SAN MATEO CA 94403		Notice Type: Transfer Notice	
<p>This is to advise you that in order to speed up processing we have transferred the above case to the following USCIS office for processing:</p> <p><del>Arizona Service Center, P.O. Box 82211, El Paso, Texas 79921</del></p> <p>That office will notify you of the decision made on your application or petition.</p> <p>Please read the following information before attempting to visit the National Customer Service Center for an update.</p> <p>Please refer to the USCIS processing dates webpage, via the USCIS home webpage <a href="http://www.uscis.gov/graphics/index.htm">http://www.uscis.gov/graphics/index.htm</a>, to locate the processing dates for the specific service center that your case was transferred to. If the service center is within processing time for your particular application or petition, USCIS cannot provide an update on your case. If the service center is outside of processing time for your particular application or petition, please call Customer Service at 1-800-375-5283 to request an update.</p> <p>Please read the following information if you submitted a Premium Processing application or petition:</p> <p>Please contact the Premium Processing phone number at 1-800-375-5283 for inquiries. The 15-day Premium Processing clock does not start until the correct office receives the application or petition.</p>			

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE  
TEXAS SERVICE CENTER  
P O BOX 851488 - DEPT A  
MESQUITE TX 75185-1488  
Customer Service Telephone: (800) 375-5283



T1B1560702173 NSC 6/5/07(E) 47 11-40 - 12-18  
7/19/07(E) 47 45  
Form I-797C (Rev. 01/31/05) N



Ex-2



RECEIPT NUMBER LIN-06-253-52591		CASE TYPE I730 REFUGEE ASYLEE RELATIVE PETITION
RECEIVED DATE August 30, 2006	PRIORITY DATE	PETITIONER A096 494 567 SUN, YINGCHUN
NOTICE DATE August 30, 2006	PAGE 1 of 2	
YINGCHUN SUN 130 BLOSSOM CIRCLE SAN MATEO CA 94403-4604		Notice Type: Receipt Notice  Fee Waived

Receipt notice - If any of the above information is incorrect, call customer service immediately.

Processing time - Processing times vary by kind of case.

- You can check our current processing time for this kind of case on our website at [uscis.gov](http://uscis.gov).
- On our website you can also sign up to get free e-mail updates as we complete key processing steps on this case.
- Most of the time your case is pending the processing status will not change because we will be working on others filed earlier.
- We will notify you by mail when we make a decision on this case, or if we need something from you. If you move while this case is pending, call customer service when you move.
- Processing times can change. If you don't get a decision or update from us within our current processing time, check our website or call for an update.

If you have questions, check our website or call customer service. Please save this notice, and have it with you if you contact us about this case.

Notice to all customers with a pending I-130 petition - USCIS is now processing Form I-130, Petition for Alien Relative, as a visa number becomes available. Filing and approval of an I-130 relative petition is only the first step in helping a relative immigrate to the United States. Eligible family members must wait until there is a visa number available before they can apply for an immigrant visa or adjustment of status to a lawful permanent resident. This process will allow USCIS to concentrate resources first on cases where visas are actually available. This process should not delay the ability of one's relative to apply for an immigrant visa or adjustment of status. Refer to [www.state.gov/travel](http://www.state.gov/travel) <<http://www.state.gov/travel>> to determine current visa availability dates. For more information, please visit our website at [www.uscis.gov](http://www.uscis.gov) or contact us at 1-800-375-5283.

If this receipt is for an I-485, or I-698 application

USCIS WILL SCHEDULE YOUR BIOMETRICS APPOINTMENT. You will be receiving a biometrics appointment notice with a specific time, date and place where you will have your fingerprints and/or photos taken. You MUST wait for your biometrics appointment notice prior to going to the ASC for biometrics processing. This I-797 receipt notice is NOT your biometrics appointment notice and should not be taken to an ASC for biometrics processing.

#### WHAT TO BRING TO YOUR BIOMETRICS APPOINTMENT-

Please bring your biometrics appointment letter (with specific time, date and place where you will have your fingerprints and/or photo taken) AND your photo identification to your biometrics appointment.

Acceptable kinds of photo identification are:

- a passport or national photo identification issued by your country,
- a drivers license,
- a military photo identification, or
- a state - issued photo identification card.

Always remember to call customer service if you move while your case is pending. If you have a pending I-130 relative petition, also call customer service if you should decide to withdraw your petition or if you become a U.S. citizen.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

NEBRASKA SERVICE CENTER  
U. S. IMMIG. & NATZ. SERVICE  
P.O. BOX 82521  
LINCOLN NE 68501-2521  
Customer Service Telephone: 800-375-5283





RECEIPT NUMBER LIN-06-253-52591		CASE TYPE I730 REFUGEE ASYLEE RELATIVE PETITION
RECEIVED DATE August 30, 2006	PRIORITY DATE	PETITIONER A096 494 567 SUN, YINGCHUN
NOTICE DATE August 30, 2006	PAGE 2 of 2	

(Cont')

Family members:

Name	DOB	COB	Class A-Number
HU, JINGSHENG	04/08/1949	CHINA, PEOPLE'S REPUBLIC OF	

Please see the additional information on the back. You will be notified separately about any other cases you filed.



Ex. 3

**BAUGHMAN & WANG**  
**ATTORNEYS AT LAW**

**San Francisco Main Office**

111 Pine Street, Suite 1350  
San Francisco, CA 94111  
Telephone: (415) 576-9923  
Facsimile: (415) 576-9929  
www.lawbw.com  
Email: Justin@lawbw.com

**Fremont Office**

39650 Liberty Street, Suite 240  
Fremont, CA 94538  
Telephone: (510) 623-9668  
Facsimile: (510) 623-9498

March 8, 2007

USCIS  
Nebraska Service Center  
P.O.Box 87730  
Lincoln, NE 68501-7730  
Attn: I-730 Supervisor

RE: LIN-06-253-52591 I-730  
Petitioner: SUN, Yingchun (A96 494 567)  
Beneficiary: HU, Jingsheng

Dear CIS Officer:

I represent both the petitioner and beneficiary in the above-referenced I-730 petition. Two of my original Form G-28 are attached.

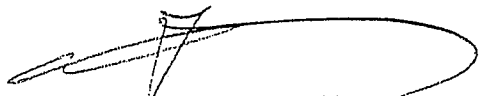
This I-730 petition was received by the Service on August 30, 2006 (*Exhibit 1: I-730 Receipt Notice*). At the time of filing, the beneficiary, Mr. Jingsheng Hu, was living in China. On January 6, 2007, Mr. Hu entered the United States with a B1 visa (*Exhibit 2: Copy of Form I-94, passport and U.S. visa*).

Since Mr. Jingsheng Hu is now in the U. S., petitioner Yingchun Sun wishes to **amend** the Form I-730, specifically the "Processing Information" to reflect that **"The person named in Part 3 is now in the United States"**, in Part 3, Question 1, Box a, of the Form I-730 (*Exhibit 3: Amended Form I-730*).

Upon approval of this I-730, please issue a **Form I-797A**, the Approval Notice with **Form I-94**, as the beneficiary is now in the U.S.

Your assistance in this matter will be greatly appreciated.

Very truly yours,



Justin X. Wang, Esq.  
Attorney for Petitioner and Beneficiary

U.S. Department of Justice  
Immigration and Naturalization Service

Notice of Entry of Appearance  
as Attorney or Representative

**Appearance** - An appearance shall be filed on this form by the attorney or representative appearing in each case. Thereafter, substitution may be permitted upon the written withdrawal of the attorney or representative of record or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his personal appearance or signature shall constitute a representation that under the provisions of this chapter he is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. **Availability of Records** - During the time a case is pending, and except as otherwise provided in 8CFR 103.2(b), a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with 8 CFR 103.10, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he/she may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his/her receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in 8 CFR 103.10.

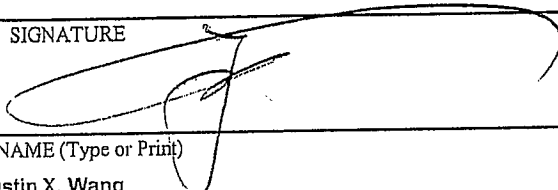
In re: <b>HU, Jingsheng (Beneficiary)</b>	Date <b>03/08/2007</b>
<b>SUN, Yingchun (Petitioner)</b>	File No. <b>LIN06-253-52591</b>

I hereby enter my appearance as attorney for (or representative of), and at the request of, the following named person(s):

Name <b>Jingsheng HU</b>	<input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant
Address (Apt. No.) <b>130 Blossom Circle</b>	(Number & Street) <b>San Mateo</b>	(City) (State) (ZIP Code) <b>CA 94403</b>
Name <b>Yingchun SUN</b>	<input checked="" type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant
Address (Apt. No.) <b>130 Blossom Circle</b>	(Number & Street) <b>San Mateo</b>	(City) (State) (ZIP Code) <b>CA 94403</b>

Check applicable item(s) below:

- ☒ 1. I am an attorney and a member in good standing of the bar of the Supreme Court of the United States or of the highest court of the following State, territory, insular possession, or District of Columbia  
**California Supreme Court** and am not under a court or administrative agency order suspending, enjoining, restraining, disbaring, or otherwise restricting me in practicing law.
- ☐ 2. I am an accredited representative of the following named religious, charitable, social service, or similar organization established in the United States and which is so recognized by the Board:
- ☐ 3. I am associated with \_\_\_\_\_ the attorney of record who previously filed a notice of appearance in this case and my appearance is at his request. (If you check this item, also check item 1 or 2 whichever is appropriate.)
- ☐ 4. Others (Explain fully.)

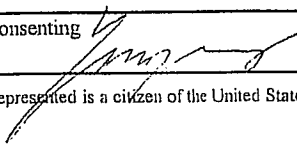
SIGNATURE 	COMPLETE ADDRESS <b>BAUGHMAN &amp; WANG</b> <b>111 Pine Street, Suite 1350</b> <b>San Francisco CA 94111</b>
NAME (Type or Print) <b>Justin X. Wang</b>	TELEPHONE NUMBER <b>415-576-9923 415-576-9929 justin@lawbw.com</b>

PURSUANT TO THE PRIVACY ACT OF 1974, I HEREBY CONSENT TO THE DISCLOSURE TO THE FOLLOWING NAMED ATTORNEY OR REPRESENTATIVE OF ANY RECORD PERTAINING TO ME WHICH APPEARS IN ANY IMMIGRATION AND NATURALIZATION SERVICE SYSTEM OF RECORDS:

**Justin X. Wang**

(Name of Attorney or Representative)

THE ABOVE DISCLOSURE IS IN CONNECTION WITH THE FOLLOWING MATTER:  
**I-730**

Name of Person Consenting <b>Yingchun SUN</b>	Signature of Person Consenting 	Date <b>03/08/2007</b>
(NOTE: Execution of this box is required under the Privacy Act of 1974 where the person being represented is a citizen of the United States or an alien lawfully admitted for permanent residence.)		

This form may not be used to request records under the Freedom of Information Act or the Privacy Act. The manner of requesting such records is contained in 8CFR 103.10 and 103.20 Et. SEQ.



U.S. Department of Justice  
Immigration and Naturalization Service

Notice of Entry of Appearance  
as Attorney or Representative

Appearance - An appearance shall be filed on this form by the attorney or representative appearing in each case. Thereafter, substitution may be permitted upon the written withdrawal of the attorney or representative of record or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his personal appearance or signature shall constitute a representation that under the provisions of this chapter he is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. Availability of Records - During the time a case is pending, and except as otherwise provided in 8CFR 103.2(b), a party to a proceeding or his attorney or representative shall be permitted to examine the record of proceeding in a Service office. He may, in conformity with 8 CFR 103.10, obtain copies of Service records or information therefrom and copies of documents or transcripts of evidence furnished by him. Upon request, he/she may, in addition, be loaned a copy of the testimony and exhibits contained in the record of proceeding upon giving his/her receipt for such copies and pledging that it will be surrendered upon final disposition of the case or upon demand. If extra copies of exhibits do not exist, they shall not be furnished free on loan; however, they shall be made available for copying or purchase of copies as provided in 8 CFR 103.10.

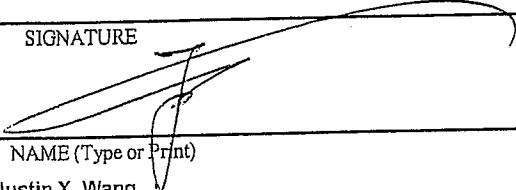
In re: HU, Jingsheng (I-730 Beneficiary)	Date 03/08/2007
	File No. LIN06-253-52591

I hereby enter my appearance as attorney for (or representative of), and at the request of, the following named person(s):

Name Jingsheng HU	<input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant
Address (Apt. No.) (Number & Street) (City) (State) (ZIP Code) 130 Blossom Circle San Mateo CA 94403		
Name	<input type="checkbox"/> Petitioner <input type="checkbox"/> Beneficiary	<input type="checkbox"/> Applicant
Address (Apt. No.) (Number & Street) (City) (State) (ZIP Code)		

Check applicable item(s) below:

- ☒ 1. I am an attorney and a member in good standing of the bar of the Supreme Court of the United States or of the highest court of the following State, territory, insular possession, or District of Columbia  
California Supreme Court and am not under a court or administrative agency order suspending, enjoining, restraining, disbaring, or otherwise restricting me in practicing law.
- ☐ 2. I am an accredited representative of the following named religious, charitable, social service, or similar organization established in the United States and which is so recognized by the Board:
- ☐ 3. I am associated with \_\_\_\_\_ the attorney of record who previously filed a notice of appearance in this case and my appearance is at his request. (If you check this item, also check item 1 or 2 whichever is appropriate.)
- ☐ 4. Others (Explain fully.)

SIGNATURE 	COMPLETE ADDRESS BAUGHMAN & WANG 111 Pine Street, Suite 1350 San Francisco CA 94111
NAME (Type or Print) Justin X. Wang	TELEPHONE NUMBER 415-576-9923 415-576-9929 justin@lawbw.com

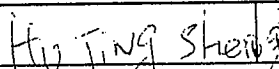
PURSUANT TO THE PRIVACY ACT OF 1974, I HEREBY CONSENT TO THE DISCLOSURE TO THE FOLLOWING NAMED ATTORNEY OR REPRESENTATIVE OF ANY RECORD PERTAINING TO ME WHICH APPEARS IN ANY IMMIGRATION AND NATURALIZATION SERVICE SYSTEM OF RECORDS:

Justin X. Wang

(Name of Attorney or Representative)

THE ABOVE DISCLOSURE IS IN CONNECTION WITH THE FOLLOWING MATTER:

I-730

Name of Person Consenting Jingsheng HU	Signature of Person Consenting 	Date 03/08/2007
---	---	--------------------

(NOTE: Execution of this box is required under the Privacy Act of 1974 where the person being represented is a citizen of the United States or an alien lawfully admitted for permanent residence.)

Department of Homeland Security  
U.S. Citizenship and Immigration Services

OMB #1615-0037; Expires 08/31/07

## I-730, Refugee/Asylee Relative Petition

## DO NOT WRITE IN THIS BLOCK - FOR USCIS OFFICE USE ONLY

Section of Law <input type="checkbox"/> 207 (c)(2) Spouse <input type="checkbox"/> 207 (c)(2) Child <input type="checkbox"/> 208 (b)(3) Spouse <input type="checkbox"/> 208 (b)(3) Child	Action Stamp	Receipt
Reviewed For Material Support  Date:		Remarks

START HERE - Please type or print legibly in black ink.

Petitioner Status: ☐ Refugee ☐ Lawful Permanent Resident based on previous Refugee status  
☒ Asylee ☐ Lawful Permanent Resident based on previous Asylee status

I am filing this petition for my: ☒ Spouse ☐ Biological Child  
☐ Unmarried child under 21 years of age ☐ Stepchild  
☐ Adopted Child

Number of relatives I am filing for: 1 ( 1 of 1 )

## Part 1. Information about you.

Family Name (Last Name), Given Name (First Name), Middle Name  
 SUN Yingchun

Address - C/O  
 Street Number and Name Apt. #  
 130 Blossom Circle

City State or Province  
 San Mateo CA

Country Zip/Postal Code Gender: a. ☐ Male b. ☒ Female  
 USA 94403

Date of Birth (mm/dd/yyyy) Country of Birth  
 03/16/1951 China

Country of Citizenship/ Nationality Telephone Number Country and City/Area Code  
 China 650-345-4560

Alien Registration Number(A#) U.S. Social Security # (If applicable.)  
 96 494 567 610-21-5301

Other Name(s) Used (Including maiden name)  
 None

State If Married, Date (mm/dd/yyyy) and Place of Present Marriage:  
 Married 01/26/1976 Beijing, China

State If Previously Married, Name(s) of Prior Spouse(s):  
 None

Date(s) Previous Marriage(s) Ended: (mm/dd/yyyy)  
 None

If Granted Refugee Status, Date (mm/dd/yyyy) and Place Admitted to the United States:  
 None

Date (mm/dd/yyyy) and Place Refugee or Asylee status was granted:  
 09/14/2004 San Francisco Asylum Office

## Part 2. Information about your alien relative.

Family Name (Last Name), Given Name (First Name), Middle Name  
 HU Jingsheng

Address - C/O Mr. Jingsheng Hu  
 Street Number and Name Apt. #  
 130 Blossom Circle

City State or Province  
 San Mateo CA

Country Zip/Postal Code Gender: a. ☒ Male b. ☐ Female  
 USA 94403

Date of Birth (mm/dd/yyyy) Country of Birth  
 04/08/1949 China

Country of Citizenship/ Nationality Telephone Number Country and City/Area Code  
 China 650-345-4560

Alien Registration Number (If any.) U.S. Social Security # (If any.)  
 None None

Other Name(s) Used (Including maiden name)  
 None

State If Married, Date (mm/dd/yyyy) and Place of Present Marriage:  
 Married 01/26/1976 Beijing, China

State If Previously Married, Name(s) of Prior Spouse(s):  
 None

Date(s) Previous Marriage(s) Ended: (mm/dd/yyyy)  
 None

To Be Completed by  
 Attorney or Representative, if any.  
☒ Fill in box if G-28 is attached to represent the petitioner.

Volag #

Atty State License # CA 166183

**Part 2. Information about your alien relative. (Continued.)**

Name and address of your alien relative in the language written in the country where he or she now resides.

Family Name

Given Name

Middle Name

N/A

Address - C/O

Street Number and Name/Apt. #

City/State or Province

Country/Zip/Postal Code

**Part 3. Processing Information.**

1. Check One:
- a. ☒ The person named in Part 2 is now in the United States.
- b. ☐ The person named in Part 2 is now outside the United States. (Please indicate the location of the American Consulate or Embassy where your relative will apply for a visa.)

American Consulate/Embassy at:

City and Country

2. Is the person named in Part 2 in deportation or removal proceedings in the United States?

- a. ☒ No
- b. ☐ Yes (Please explain below or on a separate sheet(s) of paper.)

**Part 4. Signature.**

*Read the information on penalties in the instructions before completing this section and sign below.  
If someone helped you to prepare this petition, he or she must complete Part 5.*

*I certify or, if outside the United States, I swear or affirm, under penalty of perjury under the laws of the United States of America, that this petition and the evidence submitted with it, is all true and correct. I authorize the release of any information from my record which the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking.*

Signature

Print Name

Date

Daytime Telephone Number

Yingchun

SUN

03/08/2007

415-576-9923

**NOTE:** *If you do not completely fill out this form or fail to submit the required documents listed in the instructions, your relative may not be found eligible for the requested benefit and this petition may be denied.*

**Part 5. Signature of person preparing form, if other than petitioner above. (Sign below.)**

*I declare that I prepared this petition at the request of the above person and it is based on all of the information of which I have knowledge.*

Signature

Print Full Name

Date

Daytime Telephone Number

Justin X. Wang

415-576-9923

Firm Name and Address

E-mail Address (If any.)

BAUGHMAN &amp; WANG

justin@lawbw.com

111 Pine Street, Suite 1350, San Francisco, CA 94111



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FROM: (PLEASE PRINT) Justin X. Wang, Esq. Baughman & Wang 111 Pine St., #1350 San Francisco, CA 94111	PHONE 415.576-9923
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Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

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Federal Agency Acct. No. or Postal Service Acct. No.	I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		Customer Signature
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## U.S. Citizenship and Immigration Services Nebraska Service Center Processing Dates Posted February 15, 2008

The processing times shown below are a tool for our customers to gauge our current processing times. When applications and petitions are completed within our target timeframes, that goal will be shown in the data display.

The processing times shown below are for applications that have just been completed. If you have just filed your application, these timeframes may not reflect how long your application will take to be completed. We encourage you to check this page periodically before inquiring about your case. The processing times are updated monthly.

USCIS has received a significant increase in the number of applications filed. In July and August, nearly 2.5 million applications and petitions of all types were received. This compares to 1.2 million applications and petitions received in the same time period last year. This fiscal year, we received 1.4 million applications for naturalization; nearly double the volume we received the year before. The agency is working to improve processes and focus increased resources, including hiring approximately 1,500 new employees, to address this workload.

As a result, average processing times for certain application types may be longer. In particular, naturalization applications filed after June 1, 2007 may take approximately 16-18 months to process.

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our customer guide –

[Case Services - How do I... know what kind of services are available to me after I file my application or petition?](#)

Service Center Processing Dates for **Nebraska Service Center** Posted February 15, 2008

Form	Title	Classification or Basis for Filing	Processing Timeframe
I-90	Application to Replace Permanent Resident Card	Initial issuance or replacement	November 06, 2006
I-90	Application to Replace Permanent Resident Card	10-year renewal	August 06, 2007
I-90A	Application to Replace Permanent Resident Card	Initial issuance or replacement for Special Agricultural Workers (SAW)	August 19, 2007

I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	Initial issuance or replacement of a Form I-94	October 04, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Visa to be issued abroad	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Change of status in the U.S.	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Extension of stay in the U.S.	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	H-2A - Temporary workers	January 31, 2008
I-129	Petition for A Nonimmigrant Worker	H-2B - Other temporary workers	January 16, 2008
I-129	Petition for A Nonimmigrant Worker	H-3 - Temporary trainees	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	L - Intracompany transfers	January 16, 2008
I-129	Petition for A Nonimmigrant Worker	Blanket L	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	O - Extraordinary ability	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	P - Athletes, artists, and entertainers	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	R - Religious occupation	December 17, 2007
I-129	Petition for A Nonimmigrant Worker	TN - North American Free Trade Agreement (NAFTA) professional	December 17, 2007
I-131	Application for Travel Document	Permanent resident applying for a re-entry permit	June 13, 2007
I-131	Application for Travel Document	Refugee or asylee applying for a refugee travel document	June 13, 2007
I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) principal applying for advance parole	September 29, 2007
I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) dependent applying for advance parole	May 21, 2007
I-131	Application for Travel Document	All other applicants for advance parole	September 29, 2007
I-140	Immigrant Petition for Alien Worker	Extraordinary ability	November 24, 2006
I-140	Immigrant Petition for Alien Worker	Outstanding professor or researcher	February 21, 2007

I-140	Immigrant Petition for Alien Worker	Multinational executive or manager	January 22, 2007
I-140	Immigrant Petition for Alien Worker	Schedule A Nurses	December 01, 2006
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability	May 09, 2007
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability requesting a National Interest Waiver	December 05, 2006
I-140	Immigrant Petition for Alien Worker	Skilled worker or professional	January 22, 2007
I-140	Immigrant Petition for Alien Worker	Unskilled worker	January 30, 2007
I-212	Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal	Readmission after deportation or removal	April 17, 2007
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	All other special immigrants	August 19, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Employment-based adjustment applications	July 30, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Based on grant of asylum more than 1 year ago	October 01, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Based on refugee admission more than 1 year ago	January 01, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Haitian Refugee Immigrant Fairness Act (HRIFA)	August 19, 2007
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Indochinese Adjustment Act	August 19, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change of status to H or L dependents	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change status to the F or M academic or vocational student categories	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change Status to the J exchange visitor category	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other change of status applications	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of stay for H and L dependents	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for F or M academic or vocational students	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for J exchange visitors	June 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other extension applications	June 03, 2007
I-612	Application for Waiver of the Foreign Residence Requirement	Application for a waiver of the 2-year foreign residence requirement based on exceptional hardship or persecution	May 20, 2007

<b>I-730</b>	Refugee/Asylee Relative Petition	Petition for accompanying family members of a refugee or an asylee	October 02, 2006
<b>I-751</b>	Petition to Remove the Conditions on Residence	Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)	July 05, 2006
<b>I-765</b>	Application for Employment Authorization	Based on an approved asylum application [(a)(5)]	January 16, 2008
<b>I-765</b>	Application for Employment Authorization	Based on a request by a qualified F-1 academic student. [(c)(3)]	November 30, 2007
<b>I-765</b>	Application for Employment Authorization	Based on a pending asylum application [(c)(8)]	January 16, 2008
<b>I-765</b>	Application for Employment Authorization	Based on a pending I-485 adjustment application [(c)(9)]	November 30, 2007
<b>I-765</b>	Application for Employment Authorization	All other applications for employment authorization	November 30, 2007
<b>I-817</b>	Application for Family Unity Benefits	Voluntary departure under the family unity program	August 19, 2007
<b>I-824</b>	Application for Action on an Approved Application or Petition	To request further action on an approved application or petition	February 20, 2007

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